

Section 3  
Legal Description Of The Place Of Use

In The County of Chelan, State of Washington

PARCEL "A"

The Southwest quarter of the Northwest quarter of Section 21, Township 26 North, Range 17, E.W.M., Chelan County, Washington, EXCEPT that portion conveyed to the State of Washington for Primary State Highway No. 15 (SR2), by deed recorded September 28, 1952, under Auditor's No. 464025

PARCEL "B"

The East 29 rods of the Southeast quarter of the Northeast quarter of Section 20, Township 26 North, Range 17, E.W.M., Chelan County, Washington, EXCEPT that portion conveyed to the State of Washington for Primary State Highway No. 15 (SR2), by deed recorded September 29, 1952, under Auditor's NO. 464025.

PARCEL "C"

All that portion of the East half of the Southeast quarter of Section 20, Township 26 North, Range 17, E.W.M., Chelan County, Washington, EXCEPT right of way of Great Northern Railway Company, AND EXCEPT right of way of State Highway as now located (formerly known as the Chiwaukum and Wenatchee County Road No. 89), AND EXCEPT the property contained in the Plat of Winton Place, according to the plat thereof recorded in Volume 3 of Plats, Page 27, ALSO EXCEPT that portion conveyed to the State of Washington for Primary State Highway No. 15 (SR2), by deed recorded September 29, 1952, under Auditor's No. 464025.

PARCEL 1:

The Southwest quarter of the Northeast quarter and that part of the Southeast quarter of the Northeast quarter lying west of the right-of-way of Burlington Northern Railroad in Section 20, Township 26 North, Range 17 East, Willamette Meridian, Chelan County, Washington

PARCEL 2:

A portion of the East half of the Southeast quarter of Section 20, Township 26 North, Range 17 East, Willamette Meridian, further described as:

Lots 1 through 9 of Block 2, Winton Place Subdivision, Chelan County, Washington.

42

Section 5 B (con)

Longview Fibre Company operates a sawmill/planer mill facility in Winton Washington. This facility employees approximately 85 people. The facility began operation in 1992 with a total of 35 employees and has expanded since then to 85 employees.

In order for the mill to be competitive and continue to provide jobs for people it was necessary from time to time for the mill to add new equipment, install a boiler and kiln system and make other timely improvements.

In November of 2002, we began monitoring our actual water usage on a daily basis. Having compiled this information for almost one year now, we have a realistic understanding of the amount of water that is required to operate our facility. This awareness has prompted our request for additional water usage permitting for up to a total of 25 acre feet per year. Our water usage may be attributed to the following activities:

- Boiler/Kiln Operation (Lumber drying)
- Sawmill Operation (cooling saws etc)
- Dust Abatement (Mandated by Dept. of Ecology order # DE 90-C174)
- Sanitary Services

In terms of water usage abatement we have done the following:

- Eliminated using water on the Head Rig and Re-saw;
- Reduced amount of water being used on other machines to a minimum;
- Tried dust abatement on the roads by using pulp liquor and sugar beet solution. (We had to discontinue this because it stained the loads of lumber and it was unacceptable to our customers;
- We pump water from our storm water retention pond to use as dust abatement on the roads. (We only use well water for this purpose when we have depleted the supply of water in the storm water pond);
- Our drinking water is all purchased bottled water supplied by Cascade Water in Wenatchee, WA.

Other things being done to address the water issue:

- We have acquired the services of Don Phelps, P.E. *Water Sources Engineer*, as a consultant to help us in dealing with our water issues;
- Through the efforts of Mr. Phelps, we have identified approximately 185 acre feet of water rights in our vicinity that are no longer being used. We will be contacting the holders of those rights in an attempt to get, from the holders of these rights, the proper waivers. If successful, we will forward them to the Department.
- We have asked each department supervisor to audit the water usage in their departments and to eliminate or reduce water consumption where-ever and whenever possible.
- Water conservation will be an ongoing program at Longview Fibre Company, with a commitment on our part to reduce water consumption whenever and where-ever possible.

I am hopeful that you will look favorably upon our request for additional water usage permitting. If I can be of any further assistance, please don't hesitate to call me.

Sincerely,

George Boober  
Quality Control/Environmental

Leavenworth Wood Products  
\\LWNTSRVR\Private\ghboober\MYDOCS\Environmental\Water Usage\Attachment A.doc

**CERTIFICATE OF WATER RIGHT**

**Surface Water** (Issued in accordance with the provisions of Chapter 117, Laws of Washington for 1917, and amendments thereto, and the rules and regulations of the Department of Ecology.)

**Ground Water** (Issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology.)

PRIORITY DATE February 7, 1990	APPLICATION NUMBER G4-30184	PERMIT NUMBER G4-30184P	CERTIFICATE NUMBER G4-30184C
-----------------------------------	--------------------------------	----------------------------	---------------------------------

NAME  
Longview Fibre Company

ADDRESS (STREET) (CITY) (STATE) (ZIP CODE)  
17400 Winton Road Leavenworth Washington 98826-9210

*This is to certify that the herein named applicant has made proof to the satisfaction of the Department of Ecology of a right to the use of the public waters of the State of Washington as herein defined, and under and specifically subject to the provisions contained in the Permit issued by the Department of Ecology, and that said right to the use of said waters has been perfected in accordance with the laws of the State of Washington, and is hereby confirmed by the Department of Ecology and entered of record as shown, but is limited to an amount actually beneficially used.*

**PUBLIC WATERS TO BE APPROPRIATED**

SOURCE  
a well

TRIBUTARY OF (IF SURFACE WATERS)

MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE 50	MAXIMUM ACRE-FEET PER YEAR 1
-------------------------------	----------------------------------	---------------------------------

QUANTITY, TYPE OF USE, PERIOD OF USE

50 gpm, 1 acre-foot per year to be used for continuous group domestic supply for the mill.

**LOCATION OF DIVERSION/WITHDRAWAL**

APPROXIMATE LOCATION OF DIVERSION-WITHDRAWAL  
1400 feet west and 2500 feet north of the southeast corner of Section 20

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) NW $\frac{1}{4}$ SE $\frac{1}{4}$	SECTION 20	TOWNSHIP N. 26	RANGE, (E. OR W.) W.M. 17 E.	W.R.I.A. 45	COUNTY Chelan
--	---------------	-------------------	---------------------------------	----------------	------------------

**RECORDED PLATTED PROPERTY**

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)
-----	-------	------------------------------------

**LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED**

**Parcel No. 1:**  
The NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 20, T. 26 N., R. 17 E.W.M., consisting of 10 acres, more or less, TOGETHER WITH an adjacent parcel of 1.1 acres, more or less, which is described as follows:

beginning at the southeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 20, T. 26 N., R. 17 E.W.M., south for 220 feet then run thence on a true Azimuth of 257 1/2 for 230 feet to the southwest corner, then turn north approximately 260' to the south boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 20, T. 26 N., R. 17 E.W.M., thence east along the south boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 20, T. 26 N., R. 17 E.W.M. to the true point of beginning.

**Parcel No. 2:**  
the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 20, T. 26 N., R. 17 E.W.M., consisting of 10 acres, more or less, and Lot 4, Block 1, Winton Place, recorded in Volume 3, Page 27, records of Chelan County.

**Parcel No. 3:**  
The SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 20, T. 26 N., R. 17 E.W.M. That portion of which Orville A. Richards resides.

FILED FOR RECORD  
FEE \$ .00  
ST. OF WASH. DEPT. OF ECOLOGY  
93 DEC 13 AM 10:46  
BK 1009 W. Right 1326-27  
EVALUATED BY  
CHELAN COUNTY CLERK

BK 1009 PG 1326

PROVISIONS

Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An air line and gage may be installed in addition to the access port.

All water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells).

At such time that the Department of Ecology determines that regulation and management of the subject waters is necessary and in the public interest, an approved measuring device shall be installed and maintained in accordance with RCW 90.03.360.

This public water system shall comply with all applicable provisions of the Interim Guidelines for Public Water Systems Regarding Water Use Reporting, Demand Forecasting, Methodology and Conservation Programs, or rules later adopted for implementing the interim guidelines by 1996.

*The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in RCW 90.03.380, 90.03.390, and 90.44.020.*

**This certificate of water right is specifically subject to relinquishment for nonuse of water as provided in RCW 90.14.180.**

*Given under my hand and the seal of this office at Yakima, Washington,*

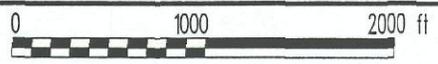
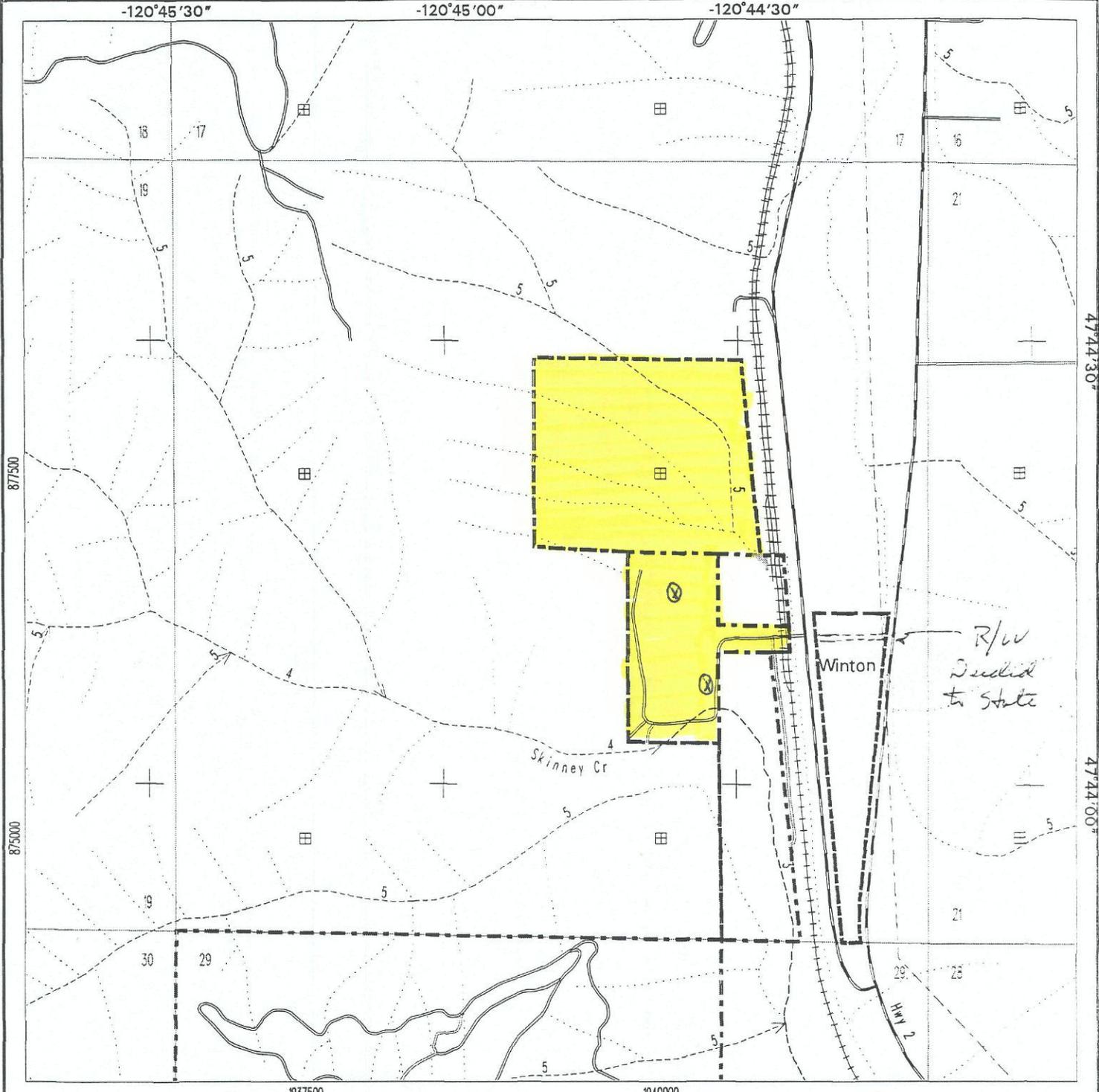
this 10th day of December, 1993.

Department of Ecology

by Doug Clausing  
Doug Clausing, Section Manager

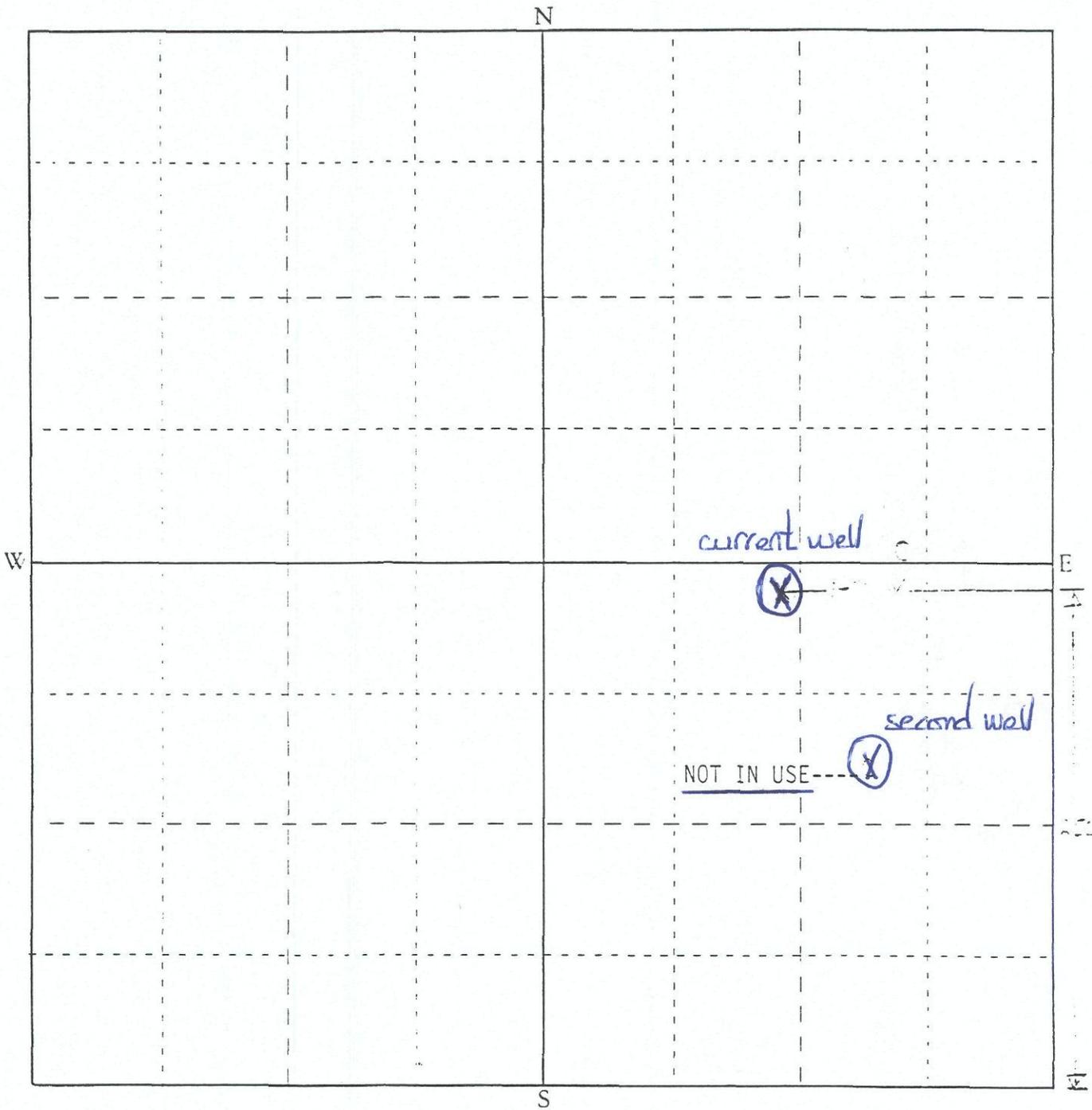
ENGINEERING DATA  
OK: Yvonne  
26x105 KB:ska

FOR COUNTY USE ONLY



SECTION MAP

Sec. 20 ..... Twp. 26 ..... N. R. 17 E.W.M.



Scale: 1 inch = 800 feet (each small square = 10 acres)

Show by a cross (X) the location of point of diversion (surface water source) or point of withdrawal (ground water source). For ground water applications, show by a circle (O) the locations of other wells or works within a quarter of a mile.

Indicate traveling directions from nearest town in space below.

FROM THE TOWN OF LEAVENWORTH, WASH., TAKE SR2 WEST. TRAVEL ABOUT 13 MILES

TURN LEFT AT THE SIGN THAT READS "WINTON", FOLLOW THE ROAD FOR ABOUT 2/3 MILE

TURN LEFT INTO THE "WINTON LOG YARD". THE LOG YARD IS THE SITE.



2020026  
Page: 1 of 3  
01/12/1998 12:41P  
Chelan Co. WA

96498

WHEN RECORDED MAIL TO:

Longview Fibre Company  
300 Fibre Way  
Longview, Washington 98632

REAL ESTATE EXCISE TAX  
PAID \$ 1136.97  
Chelan County Treasurer  
Alan J. Martin

*[Signature]* 1/12/98  
Deputy

RECORDED AT THE REQUEST OF:

96000000

101131

QUITCLAIM DEED

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY, a Delaware corporation, (formerly Burlington Northern Railroad Company), of 2650 Lou Menk Drive, Fort Worth, Texas 76131-2830, hereinafter called "Grantor", for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid, conveys and quitclaims, without any covenants of warranty whatsoever and without recourse to the Grantor, its successors and assigns, to ~~LONGVIEW FIBRE COMPANY~~, a Washington corporation, of 300 Fibre Way, Longview, Washington 98632, hereinafter called "Grantee", all its right, title and interest, if any, in real estate (exclusive of any improvements thereon) situated in Chelan County, State of Washington, hereinafter called "Property", together with all after acquired title of Grantor therein, described as follows:

That portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 20, Township 26 North, Range 17 East, W. M., Chelan County, Washington, being the same property described in Warranty Deed from Sarah A. Hastings to Great Northern Railway Company filed for record May 23, 1929 in Book 211, page 636 in the office of Chelan County Auditor, Wenatchee, Washington, described as follows:

Beginning at the Northwest corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; thence South along the West line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$  a distance of 627.3 feet; thence East and parallel to the North line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$  a distance of 303 feet, more or less, to the Westerly limits of the right of way of the Great Northern Railway Company (now The Burlington Northern and Santa Fe Railway Company); thence Northerly along said Westerly limits 630 feet, more or less, to the North line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; thence West along said North line 250 feet, more or less, to the Point of Beginning.

SUBJECT, however, to all existing interests, including but not limited to all reservations, rights-of-way and easements of record or otherwise.

Assessor's Property Tax Parcel Account Number(s): 261720410150.



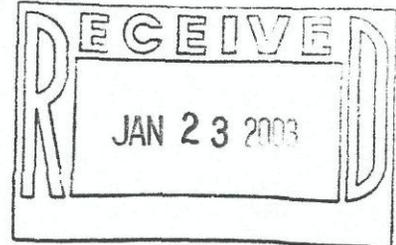
STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

January 22, 2003

**CERTIFIED MAIL**

7000 0520 0023 2102 8877



Mr. Don Ledbeter  
Longview Fibre Company  
Leavenworth Wood Products  
17400 Winton Road  
Leavenworth, WA 98826

RE: Winton Mill, Revision to Notice of Construction Approval Order, Air Quality Permit

Dear Mr. Ledbeter:

Enclosed is **ORDER No. DE 90-E174, Second Revision**. If you have any questions concerning the content of this document, please call or write Robert Swackhamer, at Department of Ecology, Central Region Office, 15 West Yakima Avenue, Suite 200, Yakima, Washington 98902-3452, telephone: (509) 575-2804. The enclosed **ORDER** may be appealed. The appeal procedures are described in the **ORDER**.

Sincerely,

Susan M. Billings  
Section Manager  
Air Quality Program

Enclosure

cc: Steven D. Duvall, Longview Fibre Company

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

IN THE MATTER OF APPROVING A )  
NEW CONTAMINANT SOURCE FOR ) **ORDER**  
LONGVIEW FIBRE COMPANY ) **No. DE 90-E174,**  
 ) **Second Revision**

To: **Longview Fibre Company**  
**Leavenworth Wood Products**  
**17400 Winton Road**  
**Leavenworth, Washington 98826**

1.0 PROJECT SUMMARY:

Longview Fibre Company owns and operates the existing Leavenworth Wood Products Plant, which consists of a sawmill and other associated equipment, located at 17400 Winton Road within Section 20, Township 26 North, Range 17 East, W.M., Chelan County, approximately 15 miles north of Leavenworth. On September 19, 1990, the Department of Ecology (hereinafter referred to as "Ecology") issued Order No. DE 90-E174 approving a Notice of Construction air quality permit for the construction and operation of the sawmill to the previous owner of the sawmill, Vaagen Brothers Lumber, Inc., subject to certain conditions.

On April 5, 2000, Ecology issued Order No. DE 90-E174, First Revision, which changed the ownership to Longview Fibre Company, approved some new equipment, and amended some approval conditions. Order No. DE 90-E174, First Revision, superseded the original Order No. DE 90-E174.

On October 26, 2002, Longview Fibre Company requested that Ecology provide relief from the requirement in Condition 2.8 to pave all roads on which travel by rubber-tired vehicles occurs. Relief was requested for a portion of the roads on which such travel occurs, the southern access road to the western log storage area.

In relation to the above, the Department of Ecology, State of Washington, pursuant to RCW 70.94.152, makes the following determinations:

- 1.1 The proposed project, if constructed and operated as herein required, will be in accordance with applicable rules and regulations, as set forth in Chapter 173-400 WAC and 173-460 WAC, and the operation thereof, at the location proposed, will not result in ambient air quality standards being exceeded.
- 1.2 The proposed project, if constructed and operated as herein required, will provide all known, available and reasonable methods of emission control (best available control technology.)

1.3 Order No. DE 90-E174, First Revision, is superseded by this document. Order No. DE 90-E174, Second Revision. The provisions of Order No. DE 90-E174, First Revision, are no longer in effect.

**THEREFORE, IT IS ORDERED** that the project as described in said Notice of Construction and more specifically detailed in plans, specifications and other information submitted to the Department of Ecology in reference thereto, is approved for construction, installation and operation, provided the following conditions are met:

2.0 APPROVAL CONDITIONS:

2.1 LAWS AND REGULATIONS

The initial construction of the mill qualified as a new source of air contaminants under Washington Administrative Code (WAC) 173-400-110, 1990, and WAC 173-403-050, 1990. The New Finished Lumber Sort Line qualifies as a new source of air contaminants under WAC 173-400-110, September 13, 1996.

The proposed project shall also comply with all current state laws and regulations, including RCW 70.94, Washington Clean Air Act; WAC 173-400, General Regulations for Air Pollution Sources; and WAC 173-460, Controls for New Sources of Toxic Air Pollutants .

2.2 EMISSIONS

Maximum potential emissions from the equipment currently permitted by Order No. DE 90-E174, 2<sup>nd</sup> Revision are estimated to be:

PM10	43.81	tons per year
Nitrogen Oxides (NOX)	36.1	tons per year
Carbon Monoxide (CO)	9.6	tons per year
Sulfur Dioxide (SO2)	5.7	tons per year
Volatile Organic Compounds (VOC)	1.02	tons per year
Benzene	17.5	pounds per year
Toluene	6.2	pounds per year
Xylenes	4.4	pounds per year
Formaldehyde	1.8	pounds per year
Acetaldehyde	0.6	pounds per year
Acrolein	0.2	pounds per year
Naphthalene	2.7	pounds per year
Polyaromatic Hydrocarbons (PAH)	0.1	pounds per year

### 2.3 ACTIVITIES

The activities, areas and equipment permitted by this Order include two debarkers, one hog, two rail car loading stations, one truck loading bin and baghouse, one planer shavings baghouse, one sawdust conveyor baghouse, two main sawmill saws (one Hew Saw and one Head Saw), one main sawmill planer, two trim saw/sort lines, one fractionator, two chip screening stations, areas where logs are sorted and stockpiled, a haul road, and storage piles or bunkers for hog fuel, bark, and chips.

### 2.4 EMISSION LIMITS

Emissions from pneumatic conveying systems shall be controlled by enclosure and by fabric filter control devices (baghouses), except that control by enclosure and fabric filter device is not required for pneumatic conveying of chips if there are no visible emissions from the chip discharge point. Particulate emissions from the baghouse discharge shall not exceed .01 grain per dry standard cubic foot and shall not exceed seven pounds per hour, as measured by source test.

### 2.5 BACT

The source shall employ Best Available Control Technology (BACT) as required by this Order. For the New Finished Lumber Sort Line trim saws BACT shall include a particulate collection system, blower and fabric filter control device (baghouse).

### 2.6 T-BACT

The source shall employ Best Available Control Technology for Toxics (T-BACT). T-BACT shall include the same measures as BACT.

### 2.7 OPERATIONS AND MAINTENANCE MANUAL

Air pollution control devices and systems affecting emissions to the air shall be properly operated in accordance with a site-specific Operations and Maintenance (O&M) Manual, to be prepared and maintained by the permittee. The O&M Manuals shall be available for inspection by Ecology in a readily accessible manner. It shall be grounds for the revocation of this Notice of Construction approval if an O&M Manual has not been approved by Ecology, except such rescission shall not occur because of Ecology's failure to conduct its review.

## 2.8 FUGITIVE DUST

Fugitive emissions shall be controlled by paving all roads on which travel by rubber-tired vehicles occurs, by maintaining a gravel cover under log decks, and by maintaining vegetation between log decks except that paving of the southern access road to the western log storage area is not required if fugitive dust is controlled by other methods (such as vehicle speed control and water application) to the extent that no visible dust occurs during vehicle travel.

## 2.9 TESTING

Emissions from pneumatic conveying system discharges shall be source tested within 120 days following start of operation of the sawmill. Qualified personnel shall be retained by the permittee to conduct source testing. Source testing shall be conducted in accordance with methods approved by Ecology. Operating and test data shall be recorded and furnished to Ecology as part of the source test. Ecology shall be notified at least 72 hours prior to conducting source testing.

## 2.10 GENERAL

2.10.1 No commercial outdoor burning shall be conducted at this site.

All plans, specifications and other information submitted to the Department of Ecology relative to this project and further documents and any further authorizations or approvals or denials in relation thereto shall be kept at the Central Regional Office of the Department of Ecology in the "Air Quality Controlled Sources" files and by such action shall be incorporated herein and made a part hereof.

Nothing in this approval shall be construed as obviating compliance with any requirement of law other than those imposed pursuant to the Washington Clean Air Act and rules and regulations thereunder.

A two-week testing and break-in period is allowed, after any part or portion of this project becomes operational, to make any changes or adjustments required to comply with applicable rules and regulations pertaining to air quality and conditions of operation imposed herein. Thereafter, any violation of such rules and regulations or of the terms of this approval shall be subject to the sanctions provided in Chapter 70.94 RCW.

Authorization may be modified, suspended or revoked in whole or part for cause, including, but not limited to, the following:

I. Violation of any terms or conditions of this authorization;

- II. Obtaining this authorization by misrepresentation or failure to disclose fully all relevant facts.

The provisions of this authorization are severable and, if any provision of this authorization or application of any provision to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this authorization, shall not be affected thereby.

Any person feeling aggrieved by this ORDER may obtain review thereof by application, within the time period specified in Chapter 43.21B RCW to the Pollution Control Hearings Board, PO Box 40903, Olympia, Washington 98504-0903. Concurrently, a copy of the application must be sent to the Department of Ecology, PO Box 47600, Olympia, Washington 98504-7600 and to the Department of Ecology, 15 West Yakima Avenue, Suite 200, Yakima, Washington 98902-3452. These procedures are consistent with the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.

DATED at Yakima, Washington, this 22<sup>nd</sup> Day of January, 2003.

Prepared and Reviewed by:

Robert D. Swackhamer  
Robert D. Swackhamer, PE  
Air Quality Program  
Department of Ecology  
State of Washington



Approved by:

Susan M. Billings 1-22-03  
Susan M. Billings  
Section Manager  
Air Quality Program  
Department of Ecology  
State of Washington



## **Longview Fibre Company**

17400 Winton Road  
Leavenworth, WA 98826



# **FIRST CLASS MAIL**

Dept. of Ecology  
15 West Yakima Ave. Suite 200  
Yakima WA 98902-3452

Attn: Bob Barwin  
Water Resources